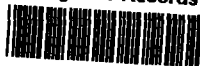


Ohio EPA

EPA Region 5 Records Ctr.



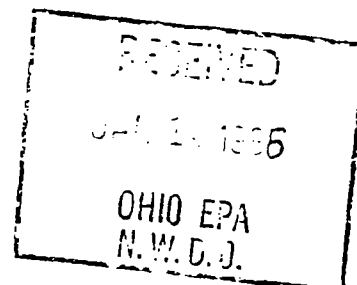
381220

July 17, 1985

FILED

PERSONAL COPY

Mr. Daniel J. Banaszek
U.S. Environmental Protection Agency
Region V
Solid Waste Branch 5HW-13
230 South Dearborn Street
Chicago, Illinois 60604



Dear Mr. Banaszek:

My letter of May 24, 1985 promised a status report regarding Fulton Industries Inc.

Fulton Industries Inc. did operate a waste pile for storage of F006 sludge after the effective date of the federal hazardous waste regulations. They never acquired a state permit. Due to a misunderstanding on our part, the facility was not required to go through formal closure procedures even though they closed the waste pile. They are now using a container for "less than 90 day" storage. The closure was conducted by a hazardous waste contractor and we believe it was done in an environmentally sound manner.

We have asked Fulton Industries Inc. to prepare a description of the closure activities and to conduct some sampling to confirm that the waste pile area has been properly decontaminated. This narrative will be prepared by an independent registered professional engineer who will review the records of Fulton Industries and the contractor. The engineer will also supervise sampling.

When the narrative and sample results are submitted we will process the submission as a closure plan. Corrective action provisions of RCRA will also be addressed as needed.

You inquired over the telephone as to the status of the Koppers facility in Toledo. This facility operated a combined waste and raw material pile. The waste was listed coke oven decanter bottoms; the raw material was coal. The waste coal mixture was fed to the coke ovens. In this and other cases we have considered this to be legitimate recycling. In our opinion, the storage pile was subject to permit requirements since the waste wasn't considered to be recycled or reclaimed until burned.

The company has ceased this activity. They now feed the waste directly to the coke oven after removing it from the decanter. They are a generator only.

Mr. Daniel J. Banaszek
U.S. Environmental Protection Agency
Page 2
July 17, 1985

The Koppers facility never obtained a state permit. We never required them to go through formal closure. We will pursue submission of a formal closure plan from the facility. We are somewhat concerned about how to address the sampling and confirmation of proper decontamination at this site since it's likely that the whole site is at least mildly contaminated with the constituents of the waste since they're all coal derived. We would, therefore, appreciate your guidance and on-going assistance on this closure.

Feel free to call if you have any questions.

Sincerely,



Tom E. Carlisle, Manager
Technical Assistance & Waste Management Section
Division of Solid and Hazardous Waste Management

TEC/sc

cc: Paula Cotter, DSHWM
Ed Kitchen, DSHWM
Jim Flautt, DSHWM
Anthony Sasson, DSHWM
Ben Chambers, NWDO

1300U